

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Group Art Unit: 2164
James L. Platt, <i>et al.</i>	§	
	§	Examiner: Mahmood, Rezwanul
Serial No.: 10/612,701	§	
	§	Atty Docket No.: AUS920030396US1
Filed: 07/02/2003	§	
	§	Customer No.: 34533
Title: Populating a Database Using Inferred	§	
Dependencies	§	Confirmation No.: 5875

Mail Stop: Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT  
 AMENDMENT DATED JULY 25, 2006**

Dear Sir:

This paper is a Response to Notice of Non-Compliant Amendment (37 CFR 1.121) dated July 25, 2006. The Applicants' representative John Biggers discussed the Notice of Non-Compliant Amendment in a telephone conversation with Primary Examiner Sam Rimell on Wednesday, August 9, 2006, and Applicants acknowledge with gratitude Mr. Rimell's time and helpfulness in this matter.

The Notice of Non-Compliant Amendment (37 CFR 1.121) advises that Applicants' Response to the Office Action of January 10, 2006, does not include an inventor's affidavit pursuant to 37 CFR 1.131. The Response to the Office Action recited that such an affidavit was included, but in fact the affidavit was missing. The Notice of Non-Compliant Amendment (37 CFR 1.121) gives Applicants one month to correct the Non-Compliant Amendment by submitting the missing affidavit.

Applicants cannot submit the missing affidavit, however. The inventors have left the employ of IBM, the assignee of the subject patent application, and are unavailable to sign documents pursuant to 37 CFR 1.131. The affidavit pursuant to 37 CFR 1.131, were it available, would be directed only toward Medicke, *et al.* (U.S. Patent App. Pub. No. 2004/0236786), which is one of three references cited by the Examiner pursuant to 35 U.S.C. § 103. Medicke, however, is addressed by Applicants in responsive remarks and argument in Applicants' Response to the Office Action. Applicants therefore believe that even without the affidavit pursuant to 37 CFR 1.131, the case is in condition to proceed through prosecution to allowance. Applicants therefore respectfully request, as discussed with Mr. Rimell, that this paper and this explanation be accepted as a proper response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated July 25, 2006, and that this case be allowed to proceed through prosecution to allowance.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

Date: August 10, 2006

By: 

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